

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

**Form 1. Notice of Appeal from a Judgment or Order of a  
United States District Court**

Name of U.S. District Court: Northern District of California

U.S. District Court case number: 16-CR-150-BLF

Date case was first filed in U.S. District Court: 4/7/2016

Date of judgment or order you are appealing: 9/28/2022

Fee paid for appeal? (appeal fees are paid at the U.S. District Court)

☐ Yes ☐ No ☐ IFP was granted by U.S. District Court

*See attached Affidavit  
Requesting Leave IFP*

**List all Appellants** (List each party filing the appeal. Do not use "et al." or other abbreviations.)

Araceli Mendoza

Is this a cross-appeal? ☐ Yes ☒ No

If Yes, what is the first appeal case number?

Was there a previous appeal in this case? ☐ Yes ☒ No


If Yes, what is the prior appeal case number?

Your mailing address:

1000 Brannan Street, #400

City: San Francisco State: CA Zip Code: 94103

Prisoner Inmate or A Number (if applicable):

Signature  Date 9/28/2022

Complete and file with the attached representation statement in the U.S. District Court

Feedback or questions about this form? Email us at [forms@ca9.uscourts.gov](mailto:forms@ca9.uscourts.gov)

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**Form 6. Representation Statement**

*Instructions for this form: <http://www.ca9.uscourts.gov/forms/form06instructions.pdf>*

**Appellant(s)** (List *each* party filing the appeal, do not use "et al." or other abbreviations.)

Name(s) of party/parties:

Araceli Mendoza

Name(s) of counsel (if any):

Wm. Michael Whelan, Jr.

Address: 1000 Brannan St. #400, San Francisco CA 94103

Telephone number(s): 6503195554

Email(s): whelanlaw@gmail.com

Is counsel registered for Electronic Filing in the 9th Circuit? ☒ Yes ☐ No

**Appellee(s)** (List *only* the names of parties and counsel who will oppose you on appeal. List separately represented parties separately.)

Name(s) of party/parties:

United States of America

Name(s) of counsel (if any):

Marissa Harris, A.U.S.A.

Address: 150 Almaden Blvd, Susie 900, San Jose CA 95113

Telephone number(s): 4085355061

Email(s): marissa.harris@usdoj.gov

*To list additional parties and/or counsel, use next page.*

*Feedback or questions about this form? Email us at [forms@ca9.uscourts.gov](mailto:forms@ca9.uscourts.gov)*

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5 Attorney for Defendant  
ARACELI MENDOZA

6  
7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION  
11

12 UNITED STATES OF AMERICA

13 Plaintiff,

14 vs.

15 ARACELI MENDOZA,

16 Defendant.  
17


Case Number: CR-16-CR-150-BLF

**AFFIDAVIT OF COUNSEL IN SUPPORT  
OF LEAVE TO FILE APPEAL *IN FORMA*  
*PAUPERIS***

\_\_\_\_\_  
Date: September 28, 2022

18 I, WM. MICHAEL WHELAN, JR. hereby state and declare, under penalty  
19 of perjury, the following: effective 09/20/2016, at ECF 20, defendant Araceli Mendoza  
20 was found to be indigent and qualified for undersigned as her court-appointed counsel.  
21 The defendant has remained indigent throughout the course of proceedings and was  
22 sentenced on this date to a federal prison term. Therefore, defendant Mendoza is  
23 financially unable to pay appeal fees.  
24

25  
26 Dated: September 28, 2022

27   
28 WM. MICHAEL WHELAN, JR.  
Attorney for Defendant Araceli Mendoza